

MESSAGE NO: 0152302 MESSAGE DATE: 06/01/2010

MESSAGE STATUS: Active CATEGORY: Antidumping
TYPE: LIQ-Liquidation PUBLIC ☒ NON-PUBLIC ☐
SUB-TYPE: OUTSCO-Out of Scope

FR CITE: FR CITE DATE:

REFERENCE 0148305
MESSAGE #
(s):
CASE #(s): A-570-918

EFFECTIVE DATE: 03/25/2008 COURT CASE #:

PERIOD OF REVIEW: TO

PERIOD COVERED: TO

TO: { Directors Of Field Operations, Port Directors }

FROM: { Director AD/CVD & Revenue Policy & Programs }

RE: ANTIDUMPING SCOPE RULING ON STEEL WIRE GARMENT HANGERS FROM CHINA (A-570-918); TARGET CORPORATION ACCESSORY HANGER

THIS MESSAGE REPLACES MESSAGE 0148305 WHICH CITED THE INCORRECT CASE NUMBER.

1. COMMERCE RECEIVED A SCOPE RULING REQUEST FROM TARGET CORPORATION ("TARGET"). COMMERCE ISSUED A FINAL SCOPE RULING ON 05/12/2010, THAT TARGET'S ACCESSORY HANGER IS NOT WITHIN THE SCOPE OF THE ANTIDUMPING DUTY ORDER COVERING STEEL WIRE GARMENT HANGERS FROM THE PEOPLE'S REPUBLIC OF CHINA (A-570-918).

2. COMMERCE DETERMINED THAT TARGET'S ACCESSORY HANGER IS OUTSIDE THE SCOPE OF THE ANTIDUMPING DUTY ORDER RESULTING FROM OUR ANALYSIS OF THE CRITERIA DESCRIBED IN 19 CFR 351.225(K)(2). TARGET'S ACCESSORY HANGER IS A HANGER THAT CONSISTS OF A TOTAL OF 12 HOOKS FORMED BY 6 PIECES OF STEEL WIRE, APPROXIMATELY 6-3/8 INCHES IN LENGTH, POSITIONED HORIZONTALLY AND PARALLEL TO EACH OTHER AND WELDED PERPENDICULARLY TO A CENTRAL STEEL WIRE. THE HOOKS ARE APPROXIMATELY 1.5 INCHES APART AND THE CENTRAL WIRE IS FORMED INTO A HOOK ON ONE END. OVERALL, THE HANGER IS APPROXIMATELY 6-3/8 INCHES WIDE AND APPROXIMATELY 10-1/8 INCHES LONG. SPECIFICALLY, UPON OUR ANALYSIS, COMMERCE DETERMINED THAT THE PHYSICAL CHARACTERISTICS OF TARGET'S ACCESSORY HANGER, THE MANNER IN WHICH IT IS ADVERTIZED OR DISPLAYED, THE EXPECTATIONS OF THE ULTIMATE PURCHASER, AND THE CHANNELS OF TRADE OF THE ACCESSORY HANGER ARE DISTINCT AND DIFFERENT FROM THE SUBJECT MERCHANDISE. THEREFORE, TARGET'S ACCESSORY HANGER IS NOT WITHIN THE SCOPE OF THE ANTIDUMPING DUTY ORDER COVERING STEEL WIRE GARMENT HANGERS FROM THE PEOPLE'S REPUBLIC OF CHINA.

3. EFFECTIVE 03/25/2008, TERMINATE SUSPENSION AND LIQUIDATE ALL UNLIQUIDATED

ENTRIES ENTERED, OR WITHDRAWN FROM WAREHOUSE OF TARGET'S ACCESSORY HANGER LISTED ABOVE.

4. REFUND ANY CASH DEPOSITS WITH INTEREST AND RELEASE ANY BONDS RELATING TO TARGET'S ACCESSORY HANGER LISTED ABOVE.

5. THESE INSTRUCTIONS CONSTITUTE NOTICE OF THE LIFTING OF SUSPENSION OF LIQUIDATION OF ENTRIES OF TARGET'S ACCESSORY HANGER ENTERED, OR WITHDRAWN FROM WAREHOUSE, FOR CONSUMPTION ON OR AFTER 03/25/2008.

6. THE ASSESSMENT OF ANTIDUMPING DUTIES BY CBP ON SHIPMENTS OR ENTRIES OF THIS MERCHANDISE IS SUBJECT TO THE PROVISIONS OF SECTION 778 OF THE TARIFF ACT OF 1930. SECTION 778 REQUIRES THAT CBP PAY INTEREST ON OVERPAYMENTS, OR ASSESS INTEREST ON UNDERPAYMENTS, OF THE REQUIRED AMOUNTS DEPOSITED AS ESTIMATED ANTIDUMPING DUTIES. THE INTEREST PROVISIONS ARE NOT APPLICABLE TO CASH OR BONDS POSTED AS ESTIMATED ANTIDUMPING DUTIES BEFORE THE DATE OF PUBLICATION OF THE ANTIDUMPING DUTY ORDER. INTEREST SHALL BE CALCULATED FROM THE DATE PAYMENT OF ESTIMATED ANTIDUMPING DUTIES IS REQUIRED THROUGH THE DATE OF LIQUIDATION. THE RATE AT WHICH SUCH INTEREST IS PAYABLE IS THE RATE IN EFFECT UNDER SECTION 6621 OF THE INTERNAL REVENUE CODE OF 1954 FOR SUCH PERIOD.

7. FOR ALL OTHER SHIPMENTS OF STEEL WIRE GARMENT HANGERS FROM THE PEOPLE'S REPUBLIC OF CHINA NOT COVERED BY PARAGRAPH #2 ABOVE, YOU SHALL, UNLESS OTHERWISE INSTRUCTED, CONTINUE TO COLLECT CASH DEPOSITS OF ESTIMATED ANTIDUMPING DUTIES FOR THE MERCHANDISE AT THE CURRENT RATES.

8. IF THERE ARE ANY QUESTIONS REGARDING THIS MATTER BY CBP OFFICERS, THE IMPORTING PUBLIC OR INTERESTED PARTIES, PLEASE CONTACT DAVINA HASHMI OR RON TRENTAM AT THE OFFICE OF AD/CVD OPERATIONS, IMPORT ADMINISTRATION, INTERNATIONAL TRADE ADMINISTRATION, U.S. DEPARTMENT OF COMMERCE, AT (202) 482-0984 OR (202) 482-3577 RESPECTIVELY (GENERATED BY O9:IG).

9. THERE ARE NO RESTRICTIONS ON THE RELEASE OF THIS INFORMATION.

MICHAEL B. WALSH

Company Details

*Party Indicator Value:

I = Importer, M = Manufacturer, E = Exporter, S = Sold To Party